

EXHIBIT A

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF RHODE ISLAND**

U.S. BANK N.A., AS TRUSTEE FOR THE
REGISTERED HOLDERS OF THE
STRUCTURED ASSET SECURITIES
CORPORATION, STRUCTURED ASSET
INVESTMENT LOAN TRUST, MORTGAGE
PASS-THROUGH CERTIFICATES, SERIES
2003-BC11,

Plaintiff,

v.

MASOUD SHAKOORI-NAMINY a/k/a
MASOUD SHAKOORI, BRENDA SHAKOORI-
NAMINY, and SAND CANYON
CORPORATION,

Defendants.

C.A. No. 17-CV-00394-WES-LDA

**PLAINTIFF'S SUR-REPLY RESPONSE TO MASOUD SHAKOORI-NAMINY'S
REPLY MEMORANDUM IN SUPPORT OF MOTION IN LIMINE AND MOTION FOR
DEFAULT JUDGMENT (ECF NO. 64)**

Masoud Shakoori-Naminy ("Mr. Shakoori") claims prejudice results from U.S. Bank, N.A., as Trustee for the Registered Holders of the Structured Asset Securities Corporation, Structured Asset Investment Loan Trust, Mortgage Pass-Through Certificates, Series 2003-BC11's ("U.S. Bank, as Trustee") response to written discovery requests by arguing that his counsel could not depose the witness which U.S. Bank, as Trustee identified nor determine which documents he reviewed or will review or the travel of the loan. (Reply Memorandum, ECF No. 64 at pp. 63-64.) Mr. Shakoori proceeds to argue that if this Court will not sanction U.S. Bank, as Trustee for alleged discovery violations despite the absence of any prejudice, then the Court should reopen discovery for Mr. Shakoori to conduct a deposition of U.S. Bank, as Trustee's representative. (*Id.* at pp. 64-65.)

The March 30, 2022 reply memorandum is the very first time Mr. Shakoori has requested, proposed or even mentioned a deposition of U.S. Bank, as Trustee in the course of this litigation at least since undersigned counsel assumed representation of the plaintiff to this case in April of 2019. Had Mr. Shakoori or his counsel communicated with undersigned counsel the request for a deposition of U.S. Bank, as Trustee at any time, the request would have been accommodated and a witness would have been produced for deposition testimony. The fact is that Mr. Shakoori's counsel waited until the eve of trial to complain about a deposition he never noticed, requested or even mentioned.

Despite the late notice and absence of any prior request, U.S. Bank, as Trustee is ready, willing and able to accommodate Mr. Shakoori's request. U.S. Bank, as Trustee will produce Howard Handville for a deposition immediately and agree to postpone trial testimony until Mr. Shakoori has completed the deposition. To do so, U.S. Bank, as Trustee proposes the following schedule:

- **Monday, April 4, 2022 at 1:00pm:** the Court hears oral argument on all motions in limine.
- **Tuesday, April 5, 2022 at 9:30am:** Trial begins with the testimony of Masoud Shakoori-Naminy.
- **Wednesday, April 6, 2022 at 9:30am:** Howard Handville on behalf of U.S. Bank, as Trustee will appear for deposition to be taken by Mr. Shakoori's counsel via Zoom.

Once Mr. Handville's deposition is complete and transcript provided to all counsel, the parties can notify the Court and appear for completion of the trial with Mr. Handville's testimony. This revised proposed schedule keeps the trial on track, affords Mr. Shakoori the discovery he allegedly could not previously conduct, and alleviates any purported prejudice necessary for this Court to impose sanctions.

Respectfully submitted:

U.S. BANK N.A., AS TRUSTEE FOR THE
REGISTERED HOLDERS OF THE
STRUCTURED ASSET SECURITIES
CORPORATION, STRUCTURED ASSET
INVESTMENT LOAN TRUST, MORTGAGE
PASS-THROUGH CERTIFICATES, SERIES
2003-BC11

By: Its Attorney

/s/ Samuel C. Bodurtha

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Dated: March 31, 2022

CERTIFICATE OF SERVICE

I, Samuel C. Bodurtha, hereby certify that this document filed through the ECF system will be sent electronically to the registered participants as identified on the Notice of Electronic Filing (NEF) and paper copies will be sent to those indicated as non-registered participants on March 31, 2022.

/s/ Samuel C. Bodurtha

Samuel C. Bodurtha, Bar #7075